

RAYMOND C. CABALLERO
MAYOR



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
APRIL 23, 2002
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: None. Representative Sariñana left the meeting during the Consent Agenda motion. He returned when bids were being discussed and left toward the end of the meeting. Representative Sumrall also left toward the end of the meeting. Meeting was called to order and the invocation was given by Rabbi Leon, B'nai Zion, followed by the Pledge of Allegiance to the Flag of the United States of America.

- Mayor's Presentations:
1. YMCA of Greater El Paso Healthy Kids Day - April 27
 2. Adult Protective Services Awareness Month - May
 3. El Paso Heritage Week - April 27-May 5
 4. 9th Annual BEEMS Conference: The Power of Two Language Days, April 25-27
 5. Reforma presenting an award to the El Paso Public Library
 6. Club de España - Paso del Norte Week - April 14-20
 7. Catholic Daughters of the Americas Day - April 26
 8. Edward Vasquez Day - April 23
 9. Ten Honorary Citizenships

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RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to accept a donation of bottled water, fruits, donuts, and sweet breads in the amount of approximately TWO HUNDRED EIGHTY AND NO/100 DOLLARS (\$280.00) from various local businesses for the WALK-A-FAIR on May 4, 2002, sponsored by the City-County Health and Environmental District.

Representative Sumrall thanked the various local businesses for their donations.

Motion made Representative Medina, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

Representatives Escobar and Sariñana were not present for the vote.
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Motion made by Representative Medina, seconded by Representative Sumrall, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved under Consent Agenda will be shown with an asterisk {*}).

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*Motion made, seconded and unanimously carried to approve the Minutes for Special City Council Meeting of November 19, 2001 and Regular City Council Meetings of December 18, 2001, January 3, 2002, and January 8, 2002.

NOTE: Item was revised from Minutes for Regular City Council Meetings of November 11, 2001, December 18, 2001, January 3, 2002, and January 8, 2002.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Traffic Signal Agreement between the CITY OF EL PASO and the EL PASO INDEPENDENT SCHOOL DISTRICT for the installation of two (2) school flasher signals on Cabaret Street between Mesa Hills and Carousel near Lyndon B. Johnson Elementary School.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the Grant Agreement with the Federal Aviation Administration, together with those necessary related documents. The Agreement is based upon the grant offer for Project No. 3-48-0077-19-02 at El Paso International Airport for additional security operational costs and other expensed costs incurred as a result of the events of September 11, 2001 and the grant application authorized by City Council by Resolution dated February 12, 2002. The grant amount shall not exceed \$851,864.00.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Interlocal Governmental Agreement by and between the City of El Paso and the County of El Paso, a political subdivision of the State of Texas, in conjunction with a Juvenile Justice Accountability Grant from the Office of the Governor, Criminal Justice Division. The City will pass grant funds through to the County to be used to provide awareness training regarding drugs, gangs and youth violence and to obtain personnel to screen serious juvenile cases by the County Attorney, and to hire a part-time probation officer to assist the SHOCAP program, and to provide training for probation officers and purchase a van, equipment and supplies by the Juvenile Probation Department.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Professional Services Agreement between the City of El Paso and SCOTT P. LEWIS, to provide legal services regarding Federal Aviation Administration rules and regulations applicable to the El Paso International Airport.

Representative Cobos explained that the contract was a "Professional Contract" which did not necessitate the bid process. He read excerpts from the contract and asked several questions including: 1.) why a Massachusetts firm was selected to practice Texas law; 2.) the fee amounts for Messrs. Mr. Lewis, Mr. Lahey and Ms. DiAngeles; 3.) the necessity of these services; 4.) who chose the firm; 5.) was it budgeted for; and 6.) did the firm offer health insurance to anyone local.

Representative Escobar took exception to a comment made by Representative Cobos. He explained that the gentleman was most likely one of only a few specialists in FAA law and that the City was only interested in hiring the most qualified individual(s) in the particular field.

Mr. Charlie McNabb, Chief Administrative Officer, explained that Professional Services contracts were exempt from the bid statutes and added that Mr. Lewis was an expert in FAA laws, specifically federal laws relating to use of revenues at airports. He stated that, in his opinion, Mr. Lewis was *the* expert in the country and explained that Mr. Lewis was not a "friend" of any individual at the airport; however, the City has utilized his services in the past and has been very successful in cases while utilizing Mr. Lewis' counsel. He noted that monies were available in the airport budget and that this was a very prudent expenditure.

Mayor Raymond C. Caballero asked that disparaging comments toward individuals not be made during City Council meetings and reminded Council Members that the individuals have been hired to perform services for the City, not to be insulted.

Representative Sumrall noted that to acquire the most qualified individual(s) it is necessary to pay the appropriate fee(s).

Mr. McNabb explained that Mr. Lewis has many contacts with individuals of the highest level at the Federal Aviation Administration in Washington. He added that the City is always striving to hire local individuals; however, in this instance the City deserves to have the very best representation.

Mr. Patrick Abeln, Director of Aviation, commented that the value received by the City by hiring this particular attorney would return to the City several times over.

Representative Cobos questioned whether a "cap" would be placed on it.

Representative Sumrall commented that it would be like hiring a podiatrist to do brain surgery.

Mayor Caballero suggested Mr. Abeln bring a report to Council Members on how the fees were running at a later date.

Representative Power commended Representative Cobos for questioning the item and commented that he feels "out of the loop".

Representative Cook asked that the focus be kept to the issues and not on the individual.

Motion made by Representative Cook, seconded by Representative Medina and carried to approve the above Resolution. Representative Cobos voted Nay.

Representative Sariñana was not present for the vote.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

**RESOLUTION OF THE CITY OF EL PASO
IN SUPPORT OF THE ESTABLISHMENT OF A
CHILDREN'S HOSPITAL IN EL PASO COUNTY**

WHEREAS, the El Paso County Hospital District has formed a Task Force to establish a Children's Hospital in El Paso County; and

WHEREAS, there is no pediatric hospital in El Paso County with the result that the people of El Paso and the surrounding counties are forced to take their ill children out of town for treatment; and

WHEREAS, the pediatric population is higher in the El Paso region than the national average; and

WHEREAS, there is extensive under-utilization of pediatric health care services due to the lack of access to such services; and

WHEREAS, El Paso County lags behind the nation in the ratio of primary care physicians and pediatricians to the total population; and

WHEREAS, the medical community of El Paso supports the concept of a children's hospital in El Paso; and

WHEREAS, the City of El Paso is interested in the health, safety and welfare of children; and

WHEREAS, the lack of a children's hospital in El Paso impedes the community in its efforts to provide necessary hospital and medical services to children; and

WHEREAS, the lack of a children's hospital in El Paso increases the costs of caring for ill children and places tremendous burdens on the families who can ill afford the travel and lodging costs associated with sending their children to other Texas cities for treatment.

NOW THEREFORE BE IT RESOLVED, that the City of El Paso supports the establishment of a Children's Hospital in El Paso County.

This Resolution was discussed concurrent with the discussion and action on a Resolution supporting Texas Tech's initiative to develop a four-year medical school.

Representative Medina stated he supports the Resolution and the statement that the Council Members are unanimously in support of the medical school.

Mayor Raymond C. Caballero remarked that City Council Members approved a previous Resolution, supporting a four-year medical school, on February 12, 2001. He explained that Mr. Sam Legate, Drs. Gutierrez and Luna had spoken on the establishment of the Children's Hospital during past City Council meetings. He asked Council Members move to support the establishment of a Children's Hospital. Representative Sumrall moved to approve, Representative Medina seconded.

Representative Sumrall asked that all Council Members names be included in the Resolution as stated on today's Council Agenda.

Representative Cobos clarified his support of a four-year medical school and the Children's Hospital.

Motion made by Representative Sumrall, seconded by Representative Medina and unanimously carried to approve the above Resolution.

Representative Sariñana was not present for the vote. He returned to the meeting and expressed his desire to vote on this item.

Representative Sariñana moved to reconsider the Resolution, Representative Rodriguez seconded. The vote was unanimous to reconsider the above Resolution.

Representative Sariñana stated he was in support of the children's hospital and that the community desperately is in need of this; however, he is not in support of the BHI, a totally different concept. He stated that Council Members need to concentrate on the four-year medical school and the children's hospital.

Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That, having considered relevant facts pursuant to the applicable law, the City Council hereby establishes Just Compensation and approves an offer of Just Compensation for the following properties, which are proposed to be acquired for the Collingsworth Subdivision Phase IV Street and Drainage Improvements, a Twenty-seventh Year (2001-2002) Community Development project as follows:

- Parcel 1: A portion of Lot 1, Block E, Collingsworth Subdivision, containing 87square feet, more or less.
Value: \$823.00

- Parcel 2: A portion of Lot 21, Block 2, Collingsworth Subdivision, containing 60 square feet, more or less.
Value: \$690.00

- Parcel 8: A portion of Tract 2D1, G M Collingsworth Survey No. 13, containing 48 square feet, more or less.
Value: \$520.00

and that the Mayor be authorized to sign Contracts of Sale, with the respective property owners of the above parcels in the amount of Just Compensation.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of TEN THOUSAND AND NO/100THS DOLLARS (\$10,000.00 - \$8,975 loan/\$1,025 grant) against the following described real property:

Lots 5 and 6, Block 84A, LOGAN HEIGHTS ADDITION, an Addition to City of El Paso, El Paso County, Texas; also known and numbered as 3519 Leavell Avenue, El Paso, Texas 79904.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of THREE AND 62/100THS DOLLARS (\$3.62).

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of TWENTY-ONE THOUSAND NINE HUNDRED THIRTY-NINE AND 81/100THS DOLLARS (\$21,939.81 - \$10,220 loan/\$11,719.81 grant) against the following described real property:

Lots 1 and 2, Block 4, ALTURA PARK ADDITION, an Addition to the City of El Paso, El Paso County, Texas, according to the Map thereof on file in Book 1, Pages 7, 8 and 9, Plat Records of El Paso County, Texas; also known and numbered as 3201 Aurora Avenue, El Paso, Texas 79930.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of FIVE THOUSAND AND NO/100THS DOLLARS (\$5,000.00 - \$4,465 loan/\$535 grant) against the following described real property:

Lot 321, Block 15, CREST HILL TERRACE, an Addition to the City of El Paso, El Paso County, Texas, according to plat thereof recorded in Volume 8, Page 34, Plat Records of El Paso County, Texas; also known and numbered as 6309 Navajo Drive, El Paso, Texas 79925.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of FIFTY-THREE AND 02/100THS DOLLARS (\$53.02).

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of EIGHT THOUSAND FOUR HUNDRED AND NO/100THS DOLLARS (\$6,750.00 - \$4,000 loan/ \$2,750 grant/\$1,650 grant) and against the following described real property:

Tracts 8W1 and 8W2, Block 42, YSLETA GRANT, an Addition to the City of El Paso, El Paso County, Texas, also known and numbered as 9154 Begonia Place, El Paso, Texas 79904.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of TWELVE THOUSAND AND NO/100THS DOLLARS (\$12,000.00 - \$2,000 loan/\$10,000 grant) against the following described real property:

Lot 19, Block 28, FRENCH ADDITION, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 10, Page 5, Plat Records of El Paso County, Texas; also known and numbered as 4406 Wyoming Avenue, El Paso, Texas 79903.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of TWENTY-TWO AND 04/100THS DOLLARS (\$22.04).

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of TWENTY-ONE THOUSAND EIGHT HUNDRED AND NO/100THS DOLLARS (\$21,800.00 - \$10,212 loan/\$11,588 grant) against the following described real property:

Lot 92, Block 5, RIVERSIDE ADDITION, an Addition to the City of El Paso, El Paso County, Texas, according to the Map and Plat thereof on file in Volume 12, Page 58, Plat Records of El Paso County, Texas; also known and numbered as 619 Dolan Street, El Paso, Texas 79905.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Geotechnical and Testing Laboratory Services by and between the CITY OF EL PASO and PROFESSIONAL SERVICE INDUSTRIES, INC., for "GEOTECHNICAL AND MATERIALS TESTING SERVICES (CITYWIDE)" for a one (1) year period for an amount not to exceed SEVEN HUNDRED FIFTY THOUSAND DOLLAR AND 00/100 (\$750,000.00).

Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a First Amendment to an Agreement for Architectural Services between the **City of El Paso** and **Mervin Moore Architect, Inc., d/b/a Moore Nordell Kroeger Architects, Inc.**, for a project known as "**Airport Terminal Renovation Phase II**" for an amount not to exceed FORTY-FIVE THOUSAND AND NO/ DOLLARS (\$45,000.00).

The above Resolution was discussed concurrent with the Resolution that the Mayor be authorized to sign a First Amendment to an Agreement for Architectural Services between the **City of El Paso** and **Mervin Moore Architect, Inc., dba Moore Nordell Kroeger Architects, Inc.**, for a project known as "**EPIA Roof Replacement and Consolidated Security Checkpoint**" for an amount not to exceed FOUR HUNDRED THIRTY - FIVE THOUSAND AND NO/ DOLLARS (\$435,000.00).

Representative Rodriguez questioned the number of amendments, the timeframe for the amendment(s) and whether the monies were reimbursement for City services.

Mr. Patrick Abeln, Director of Aviation, explained that Airport Terminal Renovation Phase II was a renovation of government, airline and City office areas and numerous shops for the new "La Placita". He explained that due to some areas of the airport not having had construction done since 1941 and/or 1970, it was discovered it was necessary to have an architect on staff to interpret the plans. Mr. Abeln noted that the project would be ongoing for another eight months. He commented on the new "La Placita" and noted that it would be something the community would be very proud of.

Representative Sumrall commented on the previous Airport Director and why the Administrative offices were located downstairs. She thanked Mr. Abeln for bringing back "La Placita" due to its money generating capabilities and the enhancement of the airport it would bring for tourists wishing to purchase souvenirs, etc.

Motion made by Representative Sumrall, seconded by Representative Cobos and unanimously carried to approve the above Resolution.

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*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an **Agreement for Architectural Services** between the **CITY OF EL PASO** and **Lucero Melendez Architects A.I.A., Inc.**, for a project known as "**San Juan Placita**" for an amount not to exceed THIRTY SEVEN THOUSAND NINE HUNDRED FIFTY-EIGHT and 26/100 DOLLARS (\$37,958.26).

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a First Amendment to an Agreement for Architectural Services between the **City of El Paso** and **Mervin Moore Architect, Inc., dba Moore Nordell Kroeger Architects, Inc.**, for a project known as **"EPIA Roof Replacement and Consolidated Security Checkpoint"** for an amount not to exceed FOUR HUNDRED THIRTY - FIVE THOUSAND AND NO/ DOLLARS (\$435,000.00).

NOTE: This item was taken together with the Resolution that the Mayor be authorized to sign a First Amendment to an Agreement for Architectural Services between the City of El Paso and Mervin Moore Architect, Inc., d/b/a Moore Nordell Kroeger Architects, Inc., for a project known as "Airport Terminal Renovation Phase II" for an amount not to exceed FORTY-FIVE THOUSAND AND NO/ DOLLARS (\$45,000.00). (See discussion above)

NOTE: Resolution was revised to delete the following language: "Additionally, it is requested that the Mayor be authorized to execute budget transfers for this agreement and project as necessary."

Motion made by Representative Sumrall, seconded by Representative Cobos and unanimously carried to approve the above Resolution, as revised.

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***R E S O L U T I O N**

WHEREAS, the Development Corporation Act of 1979, Art. 51906, Texas Revised Civil Statutes, authorized the creation of non-profit, non-member, non-stock corporations to act on behalf of political subdivisions of the State of Texas for the promotion of industrial development; and

WHEREAS, on August 28, 1979, the City Council of the City of El Paso, Texas, approved the creation of the City of El Paso Industrial Development Authority, Incorporated; and

WHEREAS, Article VII of the Articles of Incorporation, as amended effective December 21, 1993, vests powers of the Corporation in a Board of Directors, who are appointed by written resolution of the governing body of the City of El Paso, Texas.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That Janet Mayr be appointed to the Board of Directors of the Industrial Development Authority, effective as of the date hereof, on behalf of Representative District #3.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in fiscal year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

PAVO REAL RECREATION CENTER
DEPARTMENT ID: 51510115, ACCOUNT 502214

1. CONTRACTOR: Rodolfo Hernandez, Ballet Folklorico Instructor
DATES: April 23, 2002, thru August 31, 2002
RATE PER GM: \$10.30
MAXIMUM AMT: \$741.60
CONTRACT: 2001/2002/155

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in fiscal year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

DEPARTMENT ID: 51010281, ACCOUNT 501011

1. CONTRACTOR: Grecia Gabriela Arevalo, Swim Instructor I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR.: \$5.35
CONTRACT NO.: 2001/2002-230
2. CONTRACTOR: Luis Carlos Arzola, Pool Attendant I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR.: \$5.40
CONTRACT NO.: 2001/2002-231
3. CONTRACTOR: Joyce C. Avila, Swim Instructor I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR.: \$5.35
CONTRACT NO.: 2001/2002-232
4. CONTRACTOR: Jarrett J. Berry, Lifeguard I, Step 1
DATES: March 25, 2002, thru September 30, 2002
RATES PER HR.: \$6.00
CONTRACT NO.: 2001/2002-233
5. CONTRACTOR: Jaqueline Bravo, Swim Instructor I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR.: \$5.35
CONTRACT NO.: 2001/2002-234
6. CONTRACTOR: Adrian Castillo, Swim Instructor I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR.: \$5.35
CONTRACT NO.: 2001/2002-235

7. CONTRACTOR: Daniel A. Cortez, Lifeguard I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR.: \$6.00
CONTRACT NO.: 2001/2002-236
8. CONTRACTOR: Isabel Espino, Swim Instructor I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR.: \$5.35
CONTRACT NO.: 2001/2002-237
9. CONTRACTOR: Valerie C. Iturralde, Swim Instructor I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR.: \$5.35
CONTRACT NO.: 2001/2002-238
10. CONTRACTOR: Natalie F. Jaramillo, Swim Instructor I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR.: \$5.35
CONTRACT NO.: 2001/2002-239
11. CONTRACTOR: Adrian Montellano, Swim Instructor I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR.: \$5.35
CONTRACT NO.: 2001/2002-240
12. CONTRACTOR: Monique Montellano, Swim Instructor I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR.: \$5.35
CONTRACT NO.: 2001/2002-241
13. CONTRACTOR: Christina Y. Piña, Swim Instructor I, Step 1
DATES: April 8, 2002, thru September 30, 2002
RATES PER HR.: \$5.35
CONTRACT NO.: 2001/2002-242
14. CONTRACTOR: Katrina L. Price, Swim Instructor I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR.: \$5.35
CONTRACT NO.: 2001/2002-243
15. CONTRACTOR: Erica Renee Ramos, Swim Instructor I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR.: \$5.35
CONTRACT NO.: 2001/2002-244
16. CONTRACTOR: Lynette M. Robles, Swim Instructor I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR.: \$5.35
CONTRACT NO.: 2001/2002-245

17. CONTRACTOR: Edna V. Tarin, Swim Instructor I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR.: \$5.35
CONTRACT NO.: 2001/2002-246
18. CONTRACTOR: Perla Vasquez, Swim Instructor I, Step 1
DATES: April 1, 2002, thru September 30, 2002
RATES PER HR.: \$5.35
CONTRACT NO.: 2001/2002-247
19. CONTRACTOR: Amy Lee Wheeler, Sr. Lifeguard I, Step 1
DATES: March 08, 2002, thru September 30, 2002
RATES PER HR.: \$6.60
CONTRACT NO.: 2001/2002-248

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

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THAT the Mayor be authorized to sign a Special Event Agreement between the City of El Paso, on behalf of the Parks and Recreation Department, with the El Paso Heritage Week Festival authorizing the use of the San Jacinto Plaza, Pioneer Plaza, and Cleveland Square from April 27, 2002 through May 5, 2002, for the Heritage Week Festival.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

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That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **RICHARD ALLEN CROWE** to assist the Comptroller Department as the Treasury Services Manager at a biweekly rate of \$1,400.50, 40 hours per week. The contract period is from April 24, 2002 through July 23, 2002.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

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That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **DON ARMSTRONG, DBA COYOTE CANYON**, for the El Paso Public Library's 2002 Summer Reading Program, to perform songs and stories on June 8, 2002 from 11:00 a.m. to 11:45 a.m. at the Main Library. The total amount of the contract shall not exceed \$300.00.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

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That the Mayor be authorized to sign a Volunteer Services Contract between the **CITY OF EL PASO** and **JACK L. AUSTIN**, in conjunction with the El Paso Public Library's El Paso Heritage Celebration, to provide a slide presentation and photo exhibit of the Concordia Cemetery at the Main Library, on April 28, 2002 from 2:00 p.m. to 4:00 p.m. There is no cost to the City.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Service Agreement between the City of El Paso and **ELIZABETH DAHL**, for the El Paso Public Library, to give a presentation covering dining etiquette for business lunches, dinners, and breakfasts. There is no cost to the City.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Contract between the **CITY OF EL PASO** and **FRANCISCO A. ROCHA, JAMMIN' PRODUCTIONS**, for the El Paso Public Library, to conduct a presentation on the value of education at the Armijo Library, June 15, 2002, from 1:30 p.m. to 2:30 p.m., There is no cost to the City.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Contract between the **CITY OF EL PASO** and **STEVEN VALENCIA**, for the El Paso Public Library, to conduct a reading club for youth participating in the Teen Hangout Program and emphasize positive thoughts for productive living, every Thursday, 5:00 p.m. to 6:00 p.m. from April 27, 2002 through August 29, 2002 at the Armijo Branch Library There is no cost to the City.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **OMAR L. ALVAREZ**, as an Undergraduate Intern for the Office of Management and Budget at the rate of \$7.25 per hour, not to exceed 40 hours per week. The term of the contract shall be from April 24, 2002 through April 23, 2003.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **ELIZABETH JUAREZ** to assist the Police Department as a Victim Services Response Team Case Manager at an hourly rate of \$12.50 for 40 hours per week. The contract period is from April 24, 2002 through April 23, 2003.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and GEORGINA RAMOS to assist the Police Department as a Victim Services Volunteer Coordinator Victim Services Response Team Case Manager at an hourly rate of \$12.30 for 40 hours per week. The contract period is from April 24, 2002 through April 23, 2003.

NOTE: The Resolution was revised to read as a "Victim Services Volunteer Coordinator" instead of a "Victim Services Response Team Case Manager".

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and MARLO TENA to assist the Police Department as a Department Volunteer Coordinator at an hourly rate of \$12.30 for 40 hours per week. The contract period is from April 24, 2002 through April 23, 2003.

NOTE: Resolution was revised to read as a "Department Volunteer Coordinator" instead of a "Victim Services Response Team Case Manager".

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and HENRY D. ZAMORA as a Geographic Information System (GIS) Specialist for the El Paso Water Utilities at a biweekly rate of \$1,521.58, not to exceed 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Motion made, seconded and unanimously carried to move to the regular agenda a Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and JESUS BARRAZA as a Computer Programmer, for the Information Technology Department at a biweekly rate of \$1,274.41, not to exceed 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Representative Sumrall questioned why the above Resolution and the following Information Technology positions were being deleted.

Mr. Charlie McNabb, Chief Administrative Officer, responded that the items would appear on a future City Council Agenda; however, in the interim the contracts were being reviewed to determine whether adjustments to the salaries could be made based on years of service with the City.

Ms. Lisa Turner, citizen, questioned what the difference was between staffing table changes and Personal Services Contracts and wondered whether the City's current wage scales were inadequate. She was concerned as to the date of expiration on the contracts, as they all expire approximately on the same day, and wondered whether the IT Department would not be able to service the City appropriately.

Mr. Charlie McNabb, Chief Administrative Officer, explained that the staffing table change was adding the position of a secretary. He added that a secretary is a Civil Service employee; however, in other instances the City employs individuals through contracts with the approval of the Civil Service Commission. He explained that the Civil Service Commission approved the hiring through contracts of the Information Technology (IT) staff which enabled the City to respond to competitive salary changes and the positions were filled quickly. He explained that the City had moved the Communications Department, and other positions from the Police department, under the direction of IT Department and explained that those positions were under the Civil Service. He explained that the City was now revising all the IT positions to contract which includes working for the City, competitive salaries, health benefits and other benefits Civil Service employees receive; however, they do not have the protection of the Civil Service Commission.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and JESUS BARRAZA as a Computer Programmer, for the Information Technology Department at a biweekly rate of \$1,274.41, not to exceed 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Representative Sariñana was not present for the vote.

Motion made, seconded and unanimously carried to move to the Regular Agenda the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and KEVIN JEROME COVINGTON as a PC/LAN Specialist I, for the Information Technology Department at a biweekly rate of \$1,336.59, for 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and KEVIN JEROME COVINGTON as a PC/LAN Specialist I, for the Information Technology Department at a biweekly rate of \$1,336.59, for 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Representative Sariñana was not present for the vote.

Motion made, seconded and unanimously carried to move to the Regular Agenda the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and RICHARD DRUM as a PC/LAN Specialist I, for the Information Technology Department at a biweekly rate of \$1,336.59, for 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and RICHARD DRUM as a PC/LAN Specialist I, for the Information Technology Department at a biweekly rate of \$1,336.59, for 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Representative Sariñana was not present for the vote.

Motion made, seconded and unanimously carried to move to the Regular Agenda the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and AARON FRAMPTON as a PC/LAN Specialist II, for the Information Technology Department at a biweekly rate of \$1,470.62, for 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and AARON FRAMPTON as a PC/LAN Specialist II, for the Information Technology Department at a biweekly rate of \$1,470.62, for 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Representative Sariñana was not present for the vote.

Motion made, seconded and unanimously carried to move to the Regular Agenda the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and RON VAN GRAHAM as a Network Systems Manager, for the Information Technology Department at a biweekly rate of \$2,050.08, for 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and RON VAN GRAHAM as a Network Systems Manager, for the Information Technology Department at a biweekly rate of \$2,050.08, for 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Representative Sariñana was not present for the vote.

Motion made, seconded and unanimously carried to move to the Regular Agenda the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and DAVID R. KELLEY as a Database Administrator, for the Information Technology Department at a biweekly rate of \$1,781.85, not to exceed 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and DAVID R. KELLEY as a Database Administrator, for the Information Technology Department at a biweekly rate of \$1,781.85, not to exceed 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Representative Sariñana was not present for the vote.

Motion made, seconded and unanimously carried to move to the Regular Agenda the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and JEFFREY MILLER as a Senior Programmer Analyst, for the Information Technology Department at a biweekly rate of \$1,698.17, for 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and JEFFREY MILLER as a Senior Programmer Analyst, for the Information Technology Department at a biweekly rate of \$1,698.17, for 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Representative Sariñana was not present for the vote.

Motion made, seconded and unanimously carried to move to the Regular Agenda the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and JAMES A. MUNDWILER as a PC/LAN Specialist I, for the Information Technology Department at a biweekly rate of \$1,336.59, for 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and JAMES A. MUNDWILER as a PC/LAN Specialist I, for the Information Technology Department at a biweekly rate of \$1,336.59, for 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Representative Sariñana was not present for the vote.

Motion made, seconded and unanimously carried to move to the Regular Agenda the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and ANTONIO RIOS as a PC/LAN Specialist II, for the Information Technology Department at a biweekly rate of \$1,470.62, for 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and ANTONIO RIOS as a PC/LAN Specialist II, for the Information Technology Department at a biweekly rate of \$1,470.62, for 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Representative Sariñana was not present for the vote.

Motion made, seconded and unanimously carried to move to the Regular Agenda the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and MELISSA RODRIGUEZ as a Database Administrator, for the Information Technology Department at a biweekly rate of \$1,781.85, for 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and MELISSA RODRIGUEZ as a Database Administrator, for the Information Technology Department at a biweekly rate of \$1,781.85, for 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Representative Sariñana was not present for the vote.

Motion made, seconded and unanimously carried to move to the Regular Agenda the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and FRANCISCO SEPULVEDA as a Systems Security Officer, for the Information Technology Department at a biweekly rate of \$1,698.17, for 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and FRANCISCO SEPULVEDA as a Systems Security Officer, for the Information Technology Department at a biweekly rate of \$1,698.17, for 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Representative Sariñana was not present for the vote.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and WALTER TOWNSEND as a Special Projects Coordinator, for the Information Technology Department at a biweekly rate of \$2,059.62, for 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Personal Services Contract between the CITY OF EL PASO and WALTER TOWNSEND as a Special Projects Coordinator, for the Information Technology Department at a biweekly rate of \$2,059.62, for 40 hours per week. The term of the contract shall be for the period of April 24, 2002 through April 23, 2004.

Representative Sariñana was not present for the vote.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a Consent to Assignment from CHARLIE CASE TIRE CO. to AM-PAC TIRE DISTRIBUTORS with respect to the CITY OF EL PASO'S Contract No. 2001-182 to provide fire truck tires and roadside service to the El Paso Fire Department.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with the WILLIAM BEAUMONT ARMY MEDICAL CENTER, to lend it One (1) 4 Cubic Yard Dumpster for its recyclable materials generated at that location, in conjunction with the Department of Solid Waste Management's recycling program.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with EL PASO ELECTRIC COMPANY - NEWMAN POWER STATION, to lease the company five (5) 32 Gallon Containers and five (5) 8 Gallon Baskets for a service fee of \$5.00 each month for the purpose of collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with the TEXAS DEPARTMENT OF HUMAN SERVICES, to lend it One (1) 4 Cubic Yard Dumpster for its recyclable materials generated at that location, in conjunction with the Department of Solid Waste Management's recycling program.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor is hereby authorized to sign a Special Warranty Deed, accepting on behalf of the City, the conveyance of the City of El Paso from the Housing Authority of the City of El Paso, Texas, a 0.3146 acre tract of land, more or less, being a *portion of Tract 22B1B, Block 42, YSLETA GRANT, El Paso, El Paso County, Texas*, conditioned upon approval of the conveyance by the Board of Commissioners of the Housing Authority of the City of El Paso. Said parcel being necessary for the Zaragosa Road Construction Project.

***NOTICE OF PUBLIC HEARING**

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 14th day of May, 2002 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 4806 Atlas Avenue, in El Paso, Texas, which property is more particularly described as:

Lot: N 193 ft. Of E ½ of Lot 153, Sunrise Acres #2

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Estate of Leopoldo Mimbela, Deceased, 1044 Triumph Drive, El Paso, Texas 79924, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring this property into compliance as mandated by Municipal Code Section 18.52.040 and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....
*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 14th day of May, 2002 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 7922 North Loop Drive, in El Paso, Texas, which property is more particularly described as:

Lots: Sly Pts. Of 8 & 9 (EXC Sely Pt. Of 9) (97.49' & 33.83' on Nly 227.39' on Ely 121.45' of Sly 251.58' on Wly), Block 5, Lafayette Place

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Fernando Guijarro, 1801 E. Yandell Drive, El Paso, Texas 79902, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring this property into compliance as mandated by Municipal Code Section 18.52.040 and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....
*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 14th day of May, 2002 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 704 N. Campbell Street, in El Paso, Texas, which property is more particularly described as:

Lots: 16 & 17 and North ½ of Lot 18, Block 252, Campbell Addition

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Carmen Breach De Valenzuela, 7049 Westwind Drive #1313, El Paso, Texas 79912 and also P. O. Box 13045, El Paso, Texas 79913, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring this property into compliance as mandated by Municipal Code Section 18.52.040 and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....
*Motion made, seconded and unanimously carried to approve the request for the following name(s) to be placed on the Reinstatement list in accordance with Article VI, Section 6.10-10, of the Civil Service Charter Provisions:

Jesus H. Arenas, Zookeeper

.....
*Motion made, seconded and unanimously carried to approve the request to fill the position(s) on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

- A. Laborer (2)
- B. Recreation Leader I (1)
- C. Recreation Leader II (1)
- D. Recreation Leader II (1)
- E. Recreation Leader III (1)

.....
*Motion made, seconded and unanimously carried to approve the following provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

- A. Animal Diets Specialist (1)
- B. Communications Assistant Manager (1)
- C. Fleet Maintenance Chief (1)

*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Airport

Add	1.0	Personnel & Accounting Clerk	GS15
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*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Fire

Delete	1.0	Budget Coordinator II	PM 78
Add	1.0	Administrative Analyst	PM 78

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*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Legal

Add	3.0	Paralegal	N/A
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*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Comptroller

Add	1.0	Treasury Services Manager	EX H
Delete	1.0	Accountant IV	PM 81

NOTE:	Add	1.0	Treasury Services Manager	TBD was revised to read:
	"Add	1.0	Treasury Services Manager	EX H"

.....
*Motion made, seconded and unanimously carried to approve the request from Maria C. Aguilar of the Solid Waste Management Department for Special Sick Leave.

.....
*Motion made, seconded and unanimously carried to re-appoint Paul Berube to the Civil Service Commission by Representative Cook.

.....
*Motion made, seconded and unanimously carried to appoint Edmundo Rueda to the Public Utility Regulation Board by Representative Escobar.

.....
*Motion made, seconded and unanimously carried to approve installation, power, and maintenance of residential street light at the following location:

Corner of Russell Street at Pierce Avenue for \$899.00

.....
*Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

- A. PID #C675-999-0020-0400, \$375.66 per month installments on a balance of \$3,005.28 for 2001 taxes; Gilbert N. Flores, Jr. – 704 Del Mar Dr.
- B. PID #V893-999-5100-2700, \$71.79 per month installments on a balance of \$2,584.44 for 2001 taxes; Luis A. Armendariz – 11945 Dali Way.
- C. PID #'s V897-999-0390-2800 & 0828-999-6060-0034, \$622.69 per month installments on a balance of \$7,472.28 for 2001 taxes – Pedro & Bertha A. Rodriguez – 11648 Lake Erie Dr.
- D. PID #M095-999-0080-3300, \$146.17 per month installments on a balance of \$2,192.55 for 2001 taxes; Henry & Julia A. Potter – 8413 Park Haven Ave.
- E. PID #F950-999-0090-0900, \$361.58 per month installments on a balance of \$2,169.48 for 1997, 1998, 1999 & 2000 taxes; Patricia A. Patterson – 12343 O'Connor Dr.
- F. PID #F950-999-0090-1000 \$268.14 per month installments on a balance of \$3,217.68 for 1998, 1999 & 2000 taxes; Patricia A. Patterson – 12355 O'Connor Dr.

- G. PID #I256-999-0210-1500 \$366.25 per month installments on a balance of \$2,563.75 for 2001 taxes; Chris L. & Christy M. Riley – 11228 War Feather Dr.

*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Southwest Escrow Inc., in the amount of \$1,084.98; overpayment of 2001 taxes. (PID #B140-000-0000-0210)
- B. Prudential Real Estate and Relocation, in the amount of \$3,546.50; overpayment of 2001 taxes. (PID #C340-999-0180-4300)
- C. First Horizon Home Loans, in the amount of \$1,685.36; overpayment of 1999 taxes. (PID #C762-999-0200-2100)
- D. First Horizon Home Loans, in the amount of \$1,548.10; overpayment of 2000 taxes. (PID #C762-999-0200-2100)
- E. Stewart Title Co., in the amount of \$1,649.32; overpayment of 2001 taxes. (PID #C762-999-0220-1400)
- F. Agustina G. Saldivar, in the amount of \$1,504.24; overpayment of 2001 taxes. (PID #H453-999-0370-4300)
- G. Norma Olon, in the amount of \$791.44; overpayment of 2001 taxes. (PID #M791-999-0030-0500)
- H. GWC Properties Inc., in the amount of \$3,362.49; overpayment of 2001 taxes. (PID #P890-000-0010-0300)
- I. Texas Department of Housing and Community Affairs, in the amount of \$529.64; overpayment of 2001 taxes. (PID #R016-000-0010-0900)
- J. Bank of America, in the amount of \$2,491.82; overpayment of 2001 taxes. (PID #V893-999-032A-2075)
- K. Homecomings Financial, in the amount of \$8,651.37; overpayment of 2001 taxes. (PID #V893-999-5470-4900)
- L. Ocean Federal Bank, in the amount of \$2,277.21; overpayment of 2001 taxes. (PID#V897-999-0290-6500).

*Motion made, seconded and unanimously carried to award Bid No. 2002-058 Knights Drive Extension Street and Drainage Improvements

Contractor: C. F. Jordan, L. P.
El Paso, Texas

Department:	Streets
Funds Available:	31250102-PPW0028001-27172-508027
Funding Source:	FY2000 CO
Items:	Base Bid I \$276,293.00
	Base Bid I-A \$ 1,202.80
	Base Bid II \$106,456.00
	Alternate No. 1 \$ 22,833.00
	Alternate No. 2 \$ 11,065.00
Total Award:	\$417,849.80

The Departments of Purchasing, Engineering, and Streets recommend the award of this contract to C. F. Jordan, L. P., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda Bid No. 2002-121 Security Guard Service for Municipal Court

Representative Rodriguez questioned whether the security guard companies offered health insurance benefits for its employees. She commented that currently the companies do not provide health insurance benefits; however, if awarded the contracts, benefits would be provided.

Mr. Byron Johnson, Director of Purchasing, responded that all these companies do offer health benefits. He reminded Representative Rodriguez that at this time last year, the City did not have "Best Value Procurement" and explained that the local companies have not yet made the adjustments.

Mayor Raymond C. Caballero stated that it is difficult for small businesses to obtain health insurance at affordable prices and suggested that those companies, who were not awarded the bid, utilize the various Chambers of Commerce, the Associated General Contractors, etc. for assistance. NOTE: Representative Sariñana returned to the meeting during these discussions.

Motion made by Representative Cook, seconded by Representative Medina and unanimously carried to award Bid No. 2002-121 Security Guard Service for Municipal Court

Award to: Mike Garcia Merchant Security, Inc.
El Paso, TX
Item (s): All
Amount: \$241,520.02 (Estimated)

Department: Municipal Court
Funds available: 11150051-15438-502212
Funding source: Municipal Court, Municipal Court Security
Total award: \$241,520.02 (Estimated)

Municipal Court and Purchasing recommend awards as indicated as this vendor has provided the Best Value Bid.

This is a thirty-six (36) month agreement with the bidder offering the option to extend the term of the contract for one (1) additional year from date of award.

NOTE: This item was discussed with Bid No. 2002-123 awarded to Mike Garcia Merchant Security, Inc.

Representatives Sumrall and Sariñana were not present for the vote.

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Motion made, seconded and unanimously carried to move to the Regular Agenda Bid No. 2002-123 Security Guard Service for Police (See comments above)

Motion made by Representative Cook, seconded by Representative Medina and unanimously carried to award Bid No. 2002-123 Security Guard Service for Police

Award to: Mike Garcia Merchant Security, Inc.
El Paso, TX

Item (s): All
Amount: \$174,369.44 (Estimated)

Department: Police
Funds available: 21010061-0110-502212 and
21150064-16413-502212 Project P500235
Funding source: General Funds and Abandon Auto Fund
Total award: \$174,369.44 (Estimated)

Police Department and Purchasing recommend awards as indicated as this vendor has provided the Best Value Bid.

This is a thirty-six (36) month agreement with the bidder offering the option to extend the term of the contract for one (1) additional year from date of award.

NOTE: This item was discussed with Bid No. 2002-121 awarded to Mike Garcia Merchant Security, Inc.

Representatives Sumrall and Sariñana were not present for the vote.

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*Motion made, seconded and unanimously carried to award Bid No. 2002-129 Emergency Vehicle Tires & Roadside Service

Award to: El Paso Tire Center
El Paso, Texas
Item (s): All
Amount: \$50,000.00 (estimated annually)

Department: Fire
Funds available: 22010090-503118
Funding source: 01101
Total award: \$50,000.00

The Fire Department and Purchasing Departments recommend this competitive Best Value sealed bid be awarded to the responsible offeror whose bid is determined to be the most advantageous to the City, considering price and the other evaluation factors included in the Invitation to Bid.

Vendor offers the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within one (1) year from the date of the award.

This is a Requirements Type Contract with an initial term of ThirtySix (36) months.

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*Motion made, seconded and unanimously carried to award Bid No. 2002-081 Transportation & Repair of Historical Artifacts

Award to: Southwestern Industrial Contractors and Riggers, Inc.
El Paso, Texas
Item (s): All
Amount: \$427,841.00

Department: Public Works & Mass Transit (Sun Metro)
Funds available: *27128-31135001 & *27692-31255002
Funding source: TX-DOT Step Grant
Total award: \$427,841.00

Purchasing and the Mass Transit [Sun Metro] Departments recommend award as indicated to "SOUTHWESTERN INDUSTRIAL CONTRACTORS AND RIGGERS, INC." sole responder to the Invitation for Bids.

This is a fixed-price, single [one-time] purchase, for Transportation & Repair of Historical Artifacts.

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda Bid No. 2002-087 Security Guard Services for the El Paso International Airport

Ms. Lisa Turner, citizen, questioned whether the employees were properly trained in the new FAA standards for screeners.

Mr. Patrick Abeln, Director of Aviation, stated that prior to assuming any security function at the airport, the individual(s) would receive the appropriate training. He explained that these employees would be performing three different functions and added that the Transportation Security Administration oversees airport security.

Mayor Raymond C. Caballero stated Mr. Abeln has done an exceptional job and requested that the individuals remain vigilant, as transportation safety has become a very important issue.

Mr. Charlie McNabb, Chief Administrative Officer, reiterated that these employees would not be screening the passengers, as Federal employees would perform those duties.

Mr. Abeln discussed the number of complaints regarding the security checkpoints and explained that for approximately the last 30 years, checkpoint security was the responsibility of the Airport; however, approximately six weeks ago the security checkpoint positions were transitioned under the Transportation Security Administration.

Mr. Byron Johnson, Director of Purchasing, explained that Akal Security has procured contracts for airports in Honolulu, HI and Santa Fe, NM and are versed in training employees regarding the new FAA procedures.

Representative Cobos commented that the award for the bid was to an out-of-town company and noted the amount of the award. He stated that the City was subsidizing monies to the company so that they might provide insurance for its employees.

Mayor Raymond C. Caballero stated that the City is willing to pay more for bids in order to provide health insurance benefits for the employees.

Representative Medina commented on individuals who utilize the County hospital, at taxpayer's expense, and companies who provide health insurance benefits.

Mr. Kent Perkins, Branch Manager for El Paso Akal operations, explained that a small percentage of the bid award would be for profit; however, most of the money will stay in El Paso. He noted that the employees providing the security service are local citizens.

Representative Sariñana questioned the breakdown of the monies for the three years of the contract. Mr. Johnson explained that the breakdown was duly noted on the Agenda.

Motion made by Representative Sumrall, seconded by Representative Escobar and carried to award Bid No. 2002-087 Security Guard Services for the El Paso International Airport.

Award to: Akal Security
Espanola, NM
Item (s): All
Amount: \$1,157,340.84 (estimated)

Department: Department of Aviation
Funds available: 62620003-503121
Funding source: Airport Operating Fund
Total award: \$1,157,340.84 (estimated)

The Department of Aviation and Purchasing Departments recommend award as indicated as this vendor has provided the Best Value Bid.

This is a three (3) year Contract, for Security Guard Services at the El Paso International Airport. The contract is divided into two parts. Year 1 and year 2 will be at an estimated annual amount of \$381,757.38 for each year. Year 3 will be at an estimated annual amount of \$393,826.08.

The Contract will officially begin at 12:01 a.m., May 1, 2002.

Vendor offers the City the option of extending the term of the contract for twelve (12) additional months at the same unit prices, if the option is exercised within one (1) year or two (2) years from the date of award of the contract.

Vendor does not offer a prompt payment discount.

Representatives Cook and Cobos voted Nay.

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Motion made, seconded and unanimously carried to move to the Regular Agenda Bid No. 2002-145 Security Guard Service for City Municipal Building

Motion made by Representative Sumrall, seconded by Representative Escobar and carried to award Bid No. 2002-145 Security Guard Service for City Municipal Building

Award to: Initial Security
Houston, TX
Item (s): All
Amount: \$343,076.68 (estimated)

Department: Public Works – Building Maintenance
Funds available: 31010326-502212
Funding source: General Funds, Security Contracts, Building Maintenance
Total award: \$343,076.68 (estimated)

Public Works Department and Purchasing recommend awards as indicated as this vendor has provided the Best Value Bid.

This is a thirty-six (36) month contract with no option to extend the term of this contract.
Representatives Cook and Cobos voted Nay.

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Motion made, seconded and unanimously carried to move to the Regular Agenda Bid No. 2002-149 Security Guard Service – Municipal Service Center Complex

Motion made by Representative Sumrall, seconded by Representative Escobar and carried to award Bid No. 2002-149 Security Guard Service – Municipal Service Center Complex

Award to: Initial Security
Houston, TX

Item (s): All

Amount: \$184,434.96 (estimated)

Department: Public Works – Building Maintenance

Funds available: 31010326-502212

Funding source: General Funds, Security Contracts, Building Maintenance

Total award: \$184,434.96 (estimated)

Public Works Department and Purchasing recommend awards as indicated as this vendor has provided the Best Value Bid.

This is a thirty-six (36) month contract with no options to extend the term of this contract.

Representatives Cook and Cobos voted Nay.

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2002-520 PUBLIC WORKS

Public Works proposes to appropriate \$70,000 to fund design for new History Museum. Funding source is History Museum 2000 Authorization-02 Issue-CP.

Increase	\$70,000	to	31130565/PPW005800126283/407020	Bond Proc
Increase	\$70,000	to	31130565/PPW005800126283/508050	Design

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2002-515 SOLID WASTE
Additional trips to Austin in regulation matters & additional staff to man an El Paso Booth promoting Conference to be hosted by El Paso.

Decrease	\$3,000	from	34010291/40403/504412	Sem Cont Ed
Increase	\$3,000	to	34010289/40403/504201	Travel
Decrease	\$3,000	from	34010292/40403/504412	Sem Cont Ed
Increase	\$3,000	to	34010292/40403/504201	Travel

.....
*Motion made, seconded and unanimously carried to approve the request of El Paso Heritage Week Festival to hold a parade on May 4, 2002 from 11:00 a.m. to 12:00 p.m. Route: Start at corner of Virginia and Mills in the El Paso Times parking lot; proceed west on Mills, right on Stanton, left on Main, left on Mesa, right on Mills and proceed to El Paso Street; parade then will turn left on San Antonio, left on Mesa, right on Mills and proceed back to the corner of Virginia and Mills. Approximately 150 persons, 55 vehicles, 20 animals and 2 stagecoaches will take part and 1,500 spectators are anticipated. PERMIT NO. 02-026

.....
*Motion made, seconded and unanimously carried to approve the request of El Paso Heritage Week Festival to use amplification (two 300 watt amps) at San Jacinto Plaza on April 29- May 3, 2002 from 11:30 a.m. to 1:30 p.m. Approximately 5 persons will take part and 200 spectators are anticipated. PERMIT NO. 02-039 (A)
.....

*Motion made, seconded and unanimously carried to approve the request of El Paso Heritage Week Festival to use amplification (300 watt head - 3 sets & two 15" cabinets; 108 amp) at Arts Festival Plaza; San Jacinto Plaza; Plaza Theater/Pioneer Plaza Area; Main Street between Mesa & Oregon; El Paso Street between Cleveland Square & downtown library on May 4, 2002 from 9:00 a.m. to 7:00 p.m. Approximately 200 persons will take part and 13,000 spectators are anticipated. PERMIT NO. 02-039 (B)

*Motion made, seconded and unanimously carried to delete the request of Michael Dillon/Bel Air High School to hold the Bel Air Community 5k Run/Walk/Crawl for Literacy foot race/walk on May 18, 2002 from 8:00 a.m. to 10:00 a.m. Route: Start at Bel Air Stadium, Venado to Ranchland, to La Paz, to San Paulo, to Venado, to Glendale, to Lafayette, to Esther, to Yarbrough, to Santa Maria, to Venado, to Bel Air Stadium. Approximately 300 persons will take part and 75 spectators are anticipated. PERMIT NO. 02-033

*Motion made, seconded and unanimously carried to approve the request of Stephen Donnelly/Entertainment Plus to use amplification (12 microphones, 18 speakers - 20 kilowatts) at Union Plaza Entertainment District (San Francisco & Anthony Streets, also Western Street & alleys) on May 3- 6, 2002 from 6:00 a.m. (May 3) to 12:00 a.m. (May 6). Approximately 150 to 200 persons will use amplification and 3,000 to 4,000 spectators are anticipated daily. PERMIT NO. 02-036

*Motion made, seconded and unanimously carried to approve the request of Elizabeth Branham/Citizens for Family Values to hold a walk on April 27, 2002 from 3:30 p.m. to 5:30 p.m. Route: Sidewalk at the 4800 block of Montana. Approximately 40 - 50 persons will take part. This request includes permission to use amplification (2 megaphones). PERMIT NO. 02-035

*Motion made, seconded and unanimously carried to approve the request of Mission Iglesia Universal de Jesucristo to use amplification (2 microphones; 2 to 4 speakers; 1 amp) at El Barrio Park on April 27 and 28, 2002 from 6:00 p.m. to 9:00 p.m. Approximately 8 persons will take part and 60- 80 spectators are anticipated. PERMIT NO. 02-040

*Motion made, seconded and unanimously carried to approve the request of Regional Advisory Council on Trauma to hold a foot race on April 27, 2002 from 8:00 a.m. to 9:00 a.m. Route: River Bend to Turnstone, left on Turnstone to Willow Glen, right on Willow Glen to Rosinante, right on Rosinante to cut out at 809 Rosinante, left on Rosinante to Wild Willow, left on Wild Willow to Turnstone, right on Turnstone to River Bend, right on River Bend to entrance of Marwood Park. Approximately 150 persons will take part and 75 spectators are anticipated. PERMIT NO. 02-037

*Motion made, seconded and unanimously carried to approve the request of Parents for A New Playground (MacArthur School) to hold a walk-a-thon on April 27, 2002 from 8:30 a.m. to 11:30 a.m. Route: Start at McArthur Park, proceed east on W.H. Burges to Whitus, right on Whitus to Shaver, right on Shaver to Morley, right on Morley to Gerald, right on Gerald to park. Walk-a-thon will continue in this manner making multiple laps. Approximately 130 persons will take part and 20 spectators are anticipated. PERMIT NO. 02-043

*Motion made, seconded and unanimously carried to delete an Ordinance granting a Special Privilege to Luis Robles, Jr. to permit temporary sidewalk vending within a portion of publicright-of-way located at 701 S. Oregon Street from April 10, 2002 through June 30, 2002. (Fee: \$37.50, SP-02004)

ORDINANCE 15078

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO ENTERTAINMENT PLUS, INC. TO TEMPORARILY CLOSE PORTIONS OF ANTHONY STREET BETWEEN SAN FRANCISCO AVENUE AND SAN ANTONIO AVENUE; SAN FRANCISCO AVENUE BETWEEN ANTHONY STREET AND DURANGO STREET; WESTERN COURT BETWEEN PAISANO**

DRIVE AND DURANGO STREET; AND THE ALLEY BETWEEN SAN FRANCISCO AVENUE AND WESTERN COURT; AND UNION PLAZA PARK FOR A CINCO DE MAYO STREET FESTIVAL FROM FRIDAY, MAY 3, 2002 THROUGH SUNDAY, MAY 5, 2002

Representative Cobos questioned whether the applicant owned property in the downtown area and whether this property would be utilized for the event.

Mr. Stephen Donnelly, Willie Moya/Entertainment Plus representative, was present to answer questions and stated that the property was currently undergoing demolition due to the sprinkler and ADA requirements. He explained that the building was in the process of remodeling prior to the street and parking lot improvements. He explained that due to the sprinkler system not being in compliance, the building would not be utilized for the event.

Representative Cobos explained that Mr. Moya owned the building, into which he has not invested, and noted that over \$30 million dollars has been invested in that particular area of the City in improved streets, sidewalks, lampposts and other area improvements. He stated Mr. Moya was requesting blocking off streets rather than hosting the festival inside the building, due to the building not being up to code. He made a motion to deny.

Mayor Raymond C. Caballero explained that the City was requesting individuals to utilize such venues as the Union Plaza, Arts Center Plaza and others. He questioned why the owners of buildings and/or property fail to make the proper improvements to their buildings.

Representative Sumrall questioned the condition of the building, whether the property taxes had been paid and whether or not the building had gone through the Building Services Department's condemnation process.

Mr. Terry Williams, Deputy Director of Building Services, explained that a meeting was held between the Union Plaza property owners, the Building Services Department, Fire Department and Public Service Board. He stated that the water and sewer lines were discussed in the meeting and it was concluded that sufficient water was available to provide fire protection as needed. He added that other water connections are anticipated and that the domestic water service was increased to two-inch size. He noted that the building had not been selected for the condemnation process.

Mr. Gilbert Guillen, Chairman of the Union Plaza Executive Committee, stated that the issue today was for a street festival and the street closures. He noted that Mr. Moya has made great improvements to the property; however, he suspended these improvements due to the reconstruction of the streets. Mr. Guillen explained that the streets would be closed off to accommodate 6,000 to 8,000 people. He added that amount of people could not begin to fit into the building being discussed. He corrected Representative Cobos' comment regarding the investment in the Union Plaza Streetscape to \$7 million not the \$30 million as stated by Representative Cobos. He explained the streets to be closed as Anthony and San Francisco and noted that Western Street is an abandoned street.

Representative Cobos stated that Council would be rewarding individuals in the Union Plaza area for not bringing their buildings up to code and he moved to deny, Representative Sariñana seconded. Representative Cook explained that Council Members should be encouraging entertainment in the downtown area; however, he agreed with Representative Cobos regarding having the property owners bring their buildings up to code. He noted that when events are held downtown, the people will come.

Representative Medina stated that buildings in the Union Plaza area should be inspected to ensure that they are abiding by City Ordinances and business participation should be encouraged, especially in the downtown and Union Plaza areas. He encouraged Mr. Moya to continue the renovations to the building.

Representative Sumrall noted that the Cinco de Mayo festival and the Heritage Week festival events are held on the same weekend and, the more venues going on in the downtown area at the same time, the better it is for El Paso.

Ms. Patricia Aauto, Director of Planning, explained that three weeks ago Council Members directed the Planning Department to coordinate the proposed events and the Department was aware of five different venues both in Union Plaza and other areas in the downtown community. She asked if Council Members approved the Special Permit, an amendment be made to include the portions of the Union Plaza park outside of the right-of-way for Western Court and also to advise the applicant that the Planning Department would need to modify the consideration due to the additional areas. She noted that otherwise the provisions have been satisfied and recommended to approve. She stated that the DCC (Development Coordinating Committee) recommended unanimously to approve all the venues, as they are in compliance.

Representative Cobos questioned when the projected time regarding the building's remodeling would be completed.

Mr. Stephen Donnelly, representative, stated that plans were submitted to the Union Plaza Executive Committee; however, they were not approved due to the design for the outside of the building. He explained that the design was intended to be similar to that of "Gotham City", as in Batman, with gargoyles and temples. He stated that monies had been invested in the building; however, the street reconstruction has interfered and the remodeling has been halted. He added that a nightclub, restaurant and coffee houses are planned for the building. He stated that a pump outside the building was available for the sprinklers and remarked that, in his opinion, the remodeling would be completed by next summer.

Representative Cobos withdrew his motion to deny.

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted, as amended to modify the area and consideration as stated by Ms. Patricia Aauto, Director of Planning. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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ORDINANCE 15079

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO THE EL PASO HERITAGE WEEK FESTIVAL TO TEMPORARILY CLOSE PORTIONS OF EL PASO STREET BETWEEN MISSOURI AVENUE AND FRANKLIN AVENUE; MAIN DRIVE BETWEEN OREGON STREET AND MESA STREET; SAN FRANCISCO AVENUE (TROLLEY LANE) BETWEEN SANTA FE STREET AND EL PASO STREET; AND PORTIONS OF PUBLIC RIGHT-OF-WAY (SIDEWALK AREA) ALONG PORTIONS OF OREGON STREET, MILLS AVENUE, AND EL PASO STREET BETWEEN MAIN DRIVE AND SAN ANTONIO AVENUE FOR THE EL PASO HERITAGE WEEK FESTIVAL ON SATURDAY, MAY 4, 2002**

Mayor Raymond C. Caballero invited everyone to attend the venues and thanked the supporters for their hard work.

Motion duly made by Representative Cobos, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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Motion made by Representative Medina, seconded by Representative Escobar and unanimously carried to postpone two (2) weeks an Ordinance changing the zoning of a Portion of Tract 5C9, Block 2, ASCARATE GRANT, El Paso, El Paso County, Texas (6342 Airport Road) from C-1/sc (Commercial/special contract) to C-3/sc (Commercial/special contract). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: William J. Tomberlin / Representative: David Etzold, 6006 N. Mesa, Suite 110, El Paso, TX. 79912 ZC-01074

Ms. Patricia Aauto, Director of Planning, asked whether Mr. Etzold was present for questions.

Representative Medina explained he had met with Mr. Etzold on Monday at the site, specifically Sioux Street and Airport, and discussed the proposed plans for the property. He explained that the CPC (City Plan Commission) voted 3-2 to deny and questioned the absence of the three Commission Board members.

Ms. Patricia Aauto, Director of Planning, explained six board members were present at the CPC meeting; however, the Chairman votes only to break a tie.

Representative Medina asked Ms. Aauto to provide an attendance report, for the previous 12 months, of the City Plan Commission Board Members.

Ms. Aauto stated she would provide the report and noted that the Planning Department monitors the attendance of the Board Members.

Representative Cobos suggested appointing alternate Board Members.

Ms. Aauto recommended against this and explained that the attendance issue would be discussed during the CPC meeting Thursday, April 25, 2002. She stated she would forward the attendance report to each of the Council Members and noted that Council Members may remove members at their discretion.

Representative Medina explained that the recommendations of the CPC (City Plan Commission) were taken very seriously.
Representative Sumrall suggested that all Committees/Commissions provide an attendance report to Council Members.

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*Motion made, seconded and unanimously carried to postpone two (2) weeks an Ordinance granting Special Permit No. SU-01020, to allow for a planned residential development with reduced lot widths and setbacks on Tracts 2, 3 and 5, Section 16, Block 79, TSP 3, T&PRR SURVEYS, El Paso, El Paso County, Texas (Southeast corner of Joe Battle Blvd. and Vista Del Sol Drive), pursuant to Section 20.12.040 (Zoning) of the El Paso Municipal Code. ZONE: R-3/A (Residential). Applicant: Gateway Estates 5 Joint Venture/ Representative: ATCON Engineering & Surveying, El Paso, TX. 79935.
.....

*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance amending Ordinance No. 14996 (which created Tax Increment Financing District Number Two (No. 2), by amending Section 9.1 concerning the composition of the Board of Directors and Section 12 concerning the taxes to be included in the Tax Increment Fund, and providing a severability clause.

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*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance amending Ordinance No. 14999 (which created Tax Increment Financing District Number Three (No. 3), by amending Section 9.1 concerning the composition of the Board of Directors and Section 12 concerning the taxes to be included in the Tax Increment Fund, and providing a severability clause.

.....
RESOLUTION

WHEREAS, the Building Official and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 5140 Catskill Avenue, in El Paso, Texas, which property is more particularly described as follows:

Lot: 11, Block 4, Mountain View

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Odies L. and Evelyn Jackson, P. O. Box 311771, Birmingham, Alabama 35231-1771, record Owners, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on April 23rd, 2002; and

WHEREAS, Emerson Smith and Clark Harvey, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
 - a. That the structure located on said property is condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
 - b. That the structure is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 - c. The structure's certificate of occupancy is hereby revoked; and
 - d. That the structure can be repaired.
1. That the City Council hereby orders Owners to comply with the following requirements:
 - a. That the Building be secured within (30) days; and
 - b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
 - c. Maintain the structure secure and the premises clean until rehabilitated to meet all applicable codes; and

- d. That a public hearing be scheduled for June 18th , 2002 , in the City Council Chambers, to determine, if the Council order has been complied with and, if not, to determine penalties; and
 - e. That the Owners of said Building are hereby ordered to comply with all requirements of the Resolution; and
 - f. The owners are advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.
 - g. That upon failure of the Owners to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris; and
3. That upon failure of the Owners to comply with this Order, the City of El Paso through its Deputy Director of Building Services shall secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owners of said property; and
 4. That said Owners shall become personally liable for all costs incurred by City in connection with securing and maintaining the Building secure and cleaning the premises of all weeds, trash and debris; and
 5. That the costs incurred by the City in connection with the cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
 6. That upon failure of the Owners to comply with this Order, one or all of the following actions will be taken:
 - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owners of said property, the cost of which shall be assessed as a lien against the property; and
 - b. That upon failure of the Owners to comply with this order the City Council may assess a civil penalty against the property Owners in an amount not to exceed \$1,000.00 a day for each violation or, if the Owners show that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
 - c. That upon failure of the Owners to comply with this order, the Owners may be confined in jail as permitted by state law; and
 7. That upon failure of the Owners, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
 8. The Owners, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
 9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
 10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owners and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. the affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Services Department, presented the case to Council Members and noted that 5140 Catskill had appeared on a previous City Council Agenda; however, the item was postponed. He explained that the building was in the same condition and added that the Building Services Department had received a complete engineer's report. He remarked that the engineer's report indicated the structure could be repaired and brought up to code and the department would accept the engineer's report; however; the department would request that the building be boarded and secured until such time as it is repaired.

Representative Rodriguez questioned whether the new owner would bring the building up to City code.

Mr. Emerson Smith, property owner, responded yes he would and stated the building would be boarded tomorrow.

Motion made by Representative Rodriguez, seconded by Representative Sumrall and unanimously carried to accept the Department's recommendation(s) and adopt the above resolution.

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*Motion made, seconded and unanimously carried to postpone four (4) weeks the public hearing to determine if the Council Resolution of March 12, 2002, for the property located at 10161 Singapore Avenue in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine the penalties if the Council Order has not been complied with. The owner of record as of January 8, 2002, Jorge Sanchez, 1801 Wyoming Avenue #201, El Paso, Texas 79902, and Jorge Sanchez, 10161 Singapore Avenue, El Paso, Texas 79925, has been notified of the violations at this property.
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.....
Motion made by Representative Escobar, seconded by Representative Sumrall and carried to reject Bid No. 2002-036, Truck Painting & Body Repair as recommended by Purchasing and the Equipment Maintenance Department.

This requirement will be reviewed by the user department; a new solicitation will be issued at a later time.

Representative Sariñana remarked how difficult it was to have a local business paint the big trucks and the current contractor, Advanced Auto, could handle the larger trucks.

Mr. Byron Johnson, Director of Purchasing, responded that Advanced Auto has been utilized on an informal bid basis. He explained that the bidders did not meet the bid specifications. He said the Purchasing Department would continue with informal bids.

Representatives Sumrall, Medina and Power were not present for the vote.

.....
Motion made by Representative Escobar, seconded by Representative Medina and unanimously carried to approve the continuation of Operation Clean Sweep within each Council Representative District. The order of each District was determined by a lottery drawing by the City Council. (Terry Williams – Building Services)

The order is the following:

- District 1 – Second
- District 2 – Sixth
- District 3 – Fourth
- District 4 – Eighth
- District 5 – Third
- District 6 – Seventh
- District 7 – Fifth
- District 8 – First

Mr. Terry Williams, Building Services, explained that Operation Clean Sweep was ready to move into the next phase after cleaning Montana, Mesa, Alameda, and Dyer Streets.
 Mayor Raymond C. Caballero thanked the Building Services, Police, Fire and Solid Waste Departments for their participation in Operation Clean Sweep.

Representative Escobar stated that, in his district, an area had been designated as Community Development grant eligible, meaning individuals could apply for a grant through the Community Development Department. He asked individuals to contact Community Development and start the application process now.

Representative Cobos stated that he was behind Mr. Williams in his efforts to clean up El Paso.

Mr. Harry Abraham, property owner, expressed his concerns regarding individuals dumping trash on his properties and attributes this to individuals collecting boxes, cartons, etc. He stated he has hired individuals to clean up his properties; however, the problem of trash dumping continues. He asked if the City could provide a central location where individuals might dump their trash.

Mayor Caballero stated that illegal dumping is a very serious issue, done by many individuals. He thanked Mr. Abraham for his comments.

Ms. Emma Acosta, Deputy Director of Solid Waste Management, explained that the Solid Waste Department would be proposing citizen’s transfer stations soon, which hopefully would solve Mr. Abraham’s problem. She noted that the transfer stations would be located throughout El Paso which would provide closer locations to dispose larger items, yard waste, etc.

Representative Cook asked corporate El Paso to assist in the expenses of these soon to be proposed citizen’s transfer stations.

.....
 *Motion made, seconded and unanimously carried to delete the discussion and action on postponing the bid process pertaining to the Union Plaza parking garage and the feasibility of creating a Peoples Plaza on the empty lot just South of San Antonio St., North of Overland, East of Durango and West of Leon. (Pat Goff)

NOTE: This item was postponed to April 23, from the meeting of March 26, 2002; however, the item was placed on the Agenda of April 16, 2002. Action was taken at that time.

.....
 Motion made by Representative Cook, seconded by Representative Sumrall and carried to approve a Resolution directing the PSB to reconsider the decision not to appraise and sell 50 acres of land in the Northeast and directing Mayor Pro-Tem Medina to convene a meeting of the legislative review of the council as a whole to establish a policy regarding the sale of PSB land that impacts Mountain Development and the State Park and to make recommendations to the PSB.

Representative Power commented on an unwritten, unvoted upon moratorium regarding the sale of PSB lands. He stated that for the first time in 50 years, the sale of PSB land has been frozen and he felt the freeze on the land could have grave consequences for the future of El Paso. He offered several examples. He stated that this was policy making outside of the public view, outside of Council's control and he asked Council Members to create a Resolution which would dictate to the PSB to raise the "wink and nod" moratorium and allow the continuation of the sale of PSB land to builders and developers.

Representative Sumrall stated that she was opposed to a moratorium on the sale of PSB land. She explained the issues surrounding the "Pinnacle Development" and the sale of trust land and she stated that she was upset that the City could not stop the development of the "Pinnacle". She stated that Council Members need to investigate how the land sold by the PSB and adjacent to the state park would be used. She made several suggestions and noted that the Mayor had never expressed, to her as an individual, a moratorium on PSB land.

Representative Medina questioned how the moratorium began.

Representative Cook stated that no community is impacted by a moratorium on PSB lands more than the Northeast. He noted that the PSB owns most of the land in the northeast and there was very limited land for development. He explained that curbing residential development also stagnates commercial development. He said the request by a developer to buy 50 acres of PSB land makes sense due to the Ysleta Independent School District having built a school there. He added the City of El Paso has purchased a 52 acre park in the area, plans are being drawn to build a fire station in the area, arterial roads have been built and the PSB has extended water and sewer service to the periphery of the development. He asked that the Council Members pass a Resolution stating the Council Members would not permit a moratorium on the sale of PSB land. He addressed the autonomy of the PSB, the structure of the PSB Board and the lack of information given to members of Council, media and City staff from the PSB.

Representative Escobar commented that northeast El Paso has very limited land space for growth and noted that he would like the growth spread out evenly throughout the City as Police and Fire services would be greatly taxed if only specific areas are allowed to grow.

Representative Sariñana discussed the lack of communication between the City of El Paso and the PSB Board. He stated that Council Members make decisions involving the PSB and are not provided sufficient information. He used the PSB's decision regarding water fee increases as an example. He stated that he supports annexation and addressed impact fees and available PSB land.

Mayor Caballero stated that this administration has started the greatest building boom in the history of this community and alluded to the unified medical center. He discussed future improvements planned for the city. He noted that in 1952 the PSB donated 30,000 acres of land to the City; however, within 50 years, the PSB has sold 4,000 acres. He stated that requests have been made to sell 1,800 acres this year and questioned whether all the PSB land should be sold or none of it. He discussed mountain development, annexation issues and stated that the Planning Department was instructed to work with the PSB, the School Districts and others in order to maintain controlled growth. He discussed "Painted Dunes" golf course, built on PSB land, and the possible development of a resort community around the golf course. He stated that there was no moratorium.

Mr. Ed Archuleta, General Manager El Paso Water Utility and Public Service Board, stated that the PSB tries diligently to work with City Council and in some instances there may have been some miscommunication. He discussed developing Painted Dunes into some type of recreational facility and the possibility of building a tourism venue on PSB land. He noted that the PSB approved leasing land for the City/County animal facility, at a discounted rate. He discussed setting aside 80 acres of PSB land for a Westside park and the recent selling of 55 acres for the Northeast park. He stated that the PSB Board has

never indicated a moratorium on the selling of PSB land and that the PSB has been instructed to work with the Planning Department in regard to downtown development and infield issues and to determine how the PSB land would be sold and managed. He noted that in June, 2002 he would be bringing planning policies to the PSB to address and continue the process.

Representative Escobar questioned whether PSB land would be sold from this date until June.

Mr. Archuleta responded that that decision would be left up to the Board; however, in the case of the 50 acres, he recommended to the board that the land be sold. He explained that the school was near completion, the land for the park had been sold and development was moving forward, etc. He added that the PSB has been approached to sell 1,300 acres on the Westside. He discussed the Airport becoming a developer and noted that the PSB has become interested in this type of concept.

Representative Escobar stated that the moratorium issue and the impact fees have become very contentious and questioned whether a Legislative Review Committee was established for the PSB.

Mr. Archuleta stated that once the PSB has completed its planning policies, the Board could move forward on the sale of land without a legislative review. He gave background information regarding the "Pinnacle Development" issue, commented on PSB's history of selling and donating land. He explained that land sales were not a major source of revenue for the PSB. He questioned what the city would look like in the future. He discussed the planning policy options as: 1. continue the raw land sales; 2. add covenants as part of the planning process; and/or 3. become a developer such as the Airport.

Representative Sumrall responded that a Planning Legislative Review Committee meeting was to be held with the Planning Department to discuss perimeters and the possibility of the BZAC reviewing the Planning Mountain Development and noted that the delay has been on the City's side, not with the PSB.

Representative Medina discussed concerns and suspicions of the PSB and asked that the PSB become more transparent by adding more members and/or Council Members be allowed to appoint their representative. He stated that the sale of PSB land affects many individuals and PSB issues should be discussed during a Committee of the Whole.

Representative Sumrall questioned whether a developer could approach the PSB and request to purchase land and if each request would be reviewed individually. She suggested that PSB land, not adjacent to state parks, be reviewed on an individual basis and if appropriate, the land should be sold.

Mr. Archuleta stated yes, this type of situation happens often and then the developer's plans are run through the various City departments for their approval. He stated that the issue today was the land in the northeast.

Representative Escobar agreed with the "Master Plan" idea but questioned whether the PSB would hold public hearings regarding the planning policies which would be complete in June.

Mayor Caballero invited everyone to attend the PSB meetings.

Mr. Archuleta stated that these meetings are open.

Representative Escobar questioned whether there would be open meetings specifically for the planning policies of the PSB.

Mr. Archuleta responded that the PSB would be working with the Planning Department not only on the policies, but procedures.

Representative Cook discussed the 20/25 Plan for El Paso which addresses land use. He suggested a Resolution directing the Public Service Board to reconsider its decision not to appraise and sell the 50 acres of land requested for sale in the Northeast and also directing Mayor Pro Tem Medina to convene Legislative Review meeting of the Council as a Whole to establish a policy regarding the sale of PSB land that impacts Mountain Development and the State Park; and that Council Members make these recommendations and present them to the PSB for approval. He explained that a Legislative Review of the Whole was made up of Council Members, to exclude Mayor Caballero.

Representative Sariñana asked Ms. Rita Rodriguez, City Attorney, how Council Members could extend the number of PSB Board Members. He said he understood that as per State statute a limited number of board members were allowed to be a part of the PSB.

Ms. Rodriguez responded that the Articles of Incorporation in the Bond Indentures state the number of board members allowable. She stated she would review the documents to verify whether or not Council Members could raise the number of board members to seven.

Representative Cook explained that Bond Indentures set the number of members for the PSB, and if Council Members tampered with makeup or the existence of the Board, Council would have to retire the Bonds and then subsequently reissue them. He discussed the low interest rates of bonds.

Mr. Archuleta stated that during the 13 years that he has been the General Manager, the Board has operated efficiently and effectively. He stated that if Council expanded the number of the board members it would affect the major governance of a body that guarantees the bonds themselves. He stated that every new City administration suspects the PSB for some reason or another; however, after further investigation it has been found the PSB runs efficiently and is very well operated. He explained that because of the current land issue discussions and due to the lack of information regarding the details, expanding the board would not necessarily be the most prudent decision.

Representative Sariñana asked Mr. Archuleta if he would hold the public meetings throughout the community, not necessarily at 10:00 a.m., due to the majority of the public being at their work place.

Mr. Archuleta responded that the PSB has a business agenda, not a political agenda.

Representative Power asked that the builders have an opportunity to speak.

Mr. Danny Salazar, Executive Vice-President for the El Paso Association of Builders and representing the Government Affairs Director for the Greater El Paso Association of Realtors, asked that there be a collaborative effort between all parties. He said he has met with the Mayor and will be meeting with the PSB tomorrow and asked that there be clear understandings as to what was being done, where this is headed and how this would take place. He noted that time was of the essence and stated building plans need to be reviewed, which is a lengthy process. He concluded by stating that he requests his organization be allowed to be a part of the discussions, be allowed to participate and move forward. He stated that improvements could be made in regard to communication.

Representative Escobar asked Mr. Salazar whether he was opposed to the proposed plan to be completed by the PSB in approximately two months.

Mr. Salazar responded that he would not be opposed to the proposed plan depending on its completion within two months and if the public was allowed to participate.

Representative Power spoke in reference to the impact of homes not being on the market and the repercussions thereof and explained that the City would suffer future consequences due to this.

Mr. Salazar responded that repercussions already exist in the Northeast area of El Paso due to the availability of lots in the Northeast diminishing; however, the east and west sides of El Paso have greater options.

Mayor Caballero asked Mr. Salazar the number of lots currently available for building in the Northeast.

Mr. Salazar was unable to answer that question.

Representative Cook responded approximately 30 lots.

Mr. Bob Bowling, owner of Tropicana Homes, remarked that the views he is expressing are his alone and that he does not represent the Association of Builders. He remarked that at the present time there are under 50 developed lots for sale in Northeast El Paso.

Mayor Caballero questioned Mr. Bowling why he has not built on these available lots.

Mr. Bowling responded that when purchasing land from the PSB, it requires at least one year, before the land could be developed. He explained that in the land development industry at least one to two years of planning is required. He explained that the PSB has sold land in the same manner for the last 50 years. He suggested that Council adopt a policy to sell the land, in accordance with the way in which the PSB has sold land for the last 50 years, unless the land comes within half a mile or quarter of a mile to the State park. He referred to 450 acres of land, which has been placed on the market and suggested that Council pass a Resolution in favor of the sale of any land from the PSB that does not encroach within a specified distance to a State park.

Representative Sumrall stated she would support this resolution as stated by Mr. Bowling.

Mayor Caballero questioned whether Mr. Bowling would sell 1,800 acres with the exception of those lots against the mountain.

Mr. Bowling responded no, he was in favor of selling the land in Northeast El Paso.

Ms. Patricia Aduato, Director of Planning, explained that in September of 2001, she, Mr. Archuleta and the Mayor met to discuss the development practices of the City. She explained that one way to assist in determining what properties were available within the City limits, to direct infield strategies as well as investigate how the PSB could master plan their properties available for sale, was to develop a "vacant land study". She said the Department of Planning initiated this study in September and in February a report was given to Mayor and City Council. She further stated the Department is committed to complete the vacant land study for the remaining parts of the City by the end of April, 2002. She said at this time, an infield strategies plan would be available for Council. She said the Department has been meeting and working with the El Paso Water Utilities and there has been increased coordination with regard to the school districts. She explained that the school districts were members of the Subdivision Coordinating Committee and are involved; however, a gap existed between staff and board level and she would be presenting information to the board members themselves. She said she has met with Mr. Archuleta and by June, 2002, the projects in Planning, as well as the PSB recommendations would be ready for a Legislative Review Meeting. She explained that on a day-to-day basis, through the Planning and Zoning process, the coordination efforts continue with all the development community, different City departments and school districts. She noted that the Planning Department has created a "special study", which has not been done for over 20 years and she is working in conjunction with the Central Appraisal District to identify the parcels. She clarified that not only is vacant land being investigated but vacant buildings and under-utilized properties in the City which accounts for over 200,000 parcels. She reiterated that the core area study was complete and the remainder of the City would be completed at the end of April.

Mr. John Ivey, BZAC member and private developer/builder in El Paso, noted that development must have three key components--it must be sensible, smart and sustainable, in addition to completing the planning process in an appropriate manner.

Mayor Caballero asked Mr. Ivey if he knew why this particular study was not initiated.

Mr. Ivey responded that it was his understanding that, in the past, other Mayors would veto this item. He noted that the process was not a simple one as it includes additional investigation/information issues; however, most of the development community would support this with the exception of the impact fees for water improvements. He commended Ms. Adauto and Mr. Williams for their cooperation. He questioned how much participation from the private community was involved in the Strategic Study.

Mayor Caballero thanked Mr. Ivey for his comments and stated that Council was very supportive in ensuring that sufficient data was made available prior to making statements. He noted that Mr. Salazar has been a part of the planning process in regard to infield strategies, rehabilitation and other issues and added that Mr. Salazar was a very valuable member of this committee. He asked Mr. Ivey to become involved in the PSB issues with regard to the previous questions raised. He stated that at this time the issue regarding impact fees would be discussed and asked that the remaining speakers combine their discussion of impact fees and the item being discussed concurrently.

Representative Cook stated that he had a Resolution on the table, which was seconded by Representative Sumrall.

Representative Sumrall mentioned that the impact fee item was on the agenda as an Introduction of Ordinance, not for action today.

Mr. Stan Roberts, citizen, commented on the overabundance of "plans" and/or "studies" and stated he was present to oppose the moratorium. He stated that the moratorium was a "no growth" policy, the population would continue to increase, there would always be a need for housing and Council cannot force individuals to move into an area that they do not want to move into. He commented on other related issues and stated that Council makes the decisions and Mayor ensures the decisions are carried out.

Mr. Pat Goff, representing a business which supports the builders of El Paso, stated that in the area of Phoenix, Arizona, 3,500 homes were built this year and that the issue in the Northeast was worrying developers, business owners, employees and the business community regarding their future.

Mayor Caballero asked Mr. Goff whether he thought homes were not being built in El Paso.

Mr. Goff responded that the issue was with the Northeast area and that the plans have been placed on hold. He stated members of the audience were present today because of concerns regarding the continuation of the development and noted that the time frame regarding the "plan" might endanger their businesses.

Mr. Jose Trejo, self-employed individual, asked Council if considerations were made regarding employee layoffs affecting small business owners. He stated that Council does not take all individuals into consideration when making decisions.

Representative Sumrall reiterated that there was no moratorium on the sale of the PSB land and echoed Mr. Archuleta whereas requests are reviewed separately based on their own merit. She stated that the Planning Department would be completing their study at the end of this month and that misinformation has been given. She noted that Council Members would not support not selling PSB land and that the Mayor has stated his concerns to her regarding the impact on the mountain and whether or not the development would proceed in an intelligent manner.

Representative Medina stated that controlled and managed growth was the issue in both peripherals and inner City. He stated that individuals were not being forced to move or live in a specific area of the city; however, this administration was providing incentives for individuals to stay in their neighborhoods and improve their homes.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to approve a Resolution directing the PSB to reconsider the decision not to appraise and sell 50 acres of land in the Northeast and directing Mayor Pro-tem Medina to convene a meeting of the legislative review of the council as a whole to establish a policy regarding the sale of PSB land that impacts Mountain Development and the State Park and to make recommendations to the PSB.

Motion made by Representative Power, seconded by Representative Escobar and unanimously carried to delete the discussion and action on a resolution supporting Texas Tech's initiative to develop a four year medical school. (Representative Cobos and Representative Power)

Motion made by Representative Power, seconded by Representative Sumrall and unanimously carried to direct the City Attorney's Office to draft an ordinance for the creation of a Tourism and Convention Center Advisory Board. (Representative Power and Representative Sumrall)

Representative Sumrall stated that a board has existed for the Tourist and Convention Center from which appointments by Council Members and County Commissioners were made; however, this board has since been dissolved. She explained that both she and Representative Power would like Council Members to support the creation of a new board with the same parameters; however, with appointments from only City Council members due to the County not being involved at this level.

Mr. Charlie McNabb, Chief Administrative Officer, asked Representative Sumrall to forward the information to the City Attorney's office for further review and/or discussion.

Motion made Representative Cook, seconded by Representative Medina and unanimously carried to refer to legislative review the discussion and action on the respective homestead exemptions granted to homeowners who are disabled under the criteria set forth in the Federal Old-Age, Survivors, and Disability Insurance and to the 65-over homeowners be increased henceforth to Twenty Thousand Dollars (\$20,000) from the current amount of Fifteen Thousand Dollars (\$15,000). (Representative Cobos)

Representatives Sumrall and Sariñana were not present for the vote.

Representative Cobos noted that the County had approved a similar action several months ago and explained the justifications for the proposal. He stated that he represents the poorest district in El Paso and that his constituents were requesting tax relief. He noted that the proposal would accomplish this and explained that total impact to the budget would be \$1.3 million dollars.

Representative Sumrall stated it would not be fair for other taxpayers to pick up the tab for a reduction in the taxes for a certain group of people. She explained that individuals over the age of 65 could address the Central Appraisal District and request that payment of their taxes be postponed until after the time of their death. She stated that she would be opposed to this proposal for several reasons. Representative Cobos explained that a \$15,000.00 homestead for senior citizens and disabled individuals already exists; however, he was requesting raising this amount an additional \$5,000.00. He stated that this request would not affect this budget cycle.

Mr. Bill Chapman, Chief Financial Officer, explained that the \$1.2 - \$1.5 million dollars was not planned for in the five-year financial plan and that there was no plan to raise property taxes for several years. He noted that this would have an affect on the City's budget and would shift the burden from one group of taxpayer to another. He recommended against.

Mayor Raymond C. Caballero questioned Mr. Chapman whether Representative Cobos' request would raise property taxes by 2/3 of a cent.

Mr. Chapman responded that 2/3 of a cent was equivalent to the \$1.2 - \$1.5 million dollars.

Representative Cobos stated that this would necessitate finding monies elsewhere and that he was not proposing a tax increase. He reiterated that the City would need to become more efficient in it's spending and to look for expenditures that could be cut. He referred to items on past City Council Agendas which Council Members had approved; however, the item was not budgeted for. He stated that during the upcoming budget hearings he would request a line item and allocate monies for this.

Representative Sumrall was concerned with young families supplementing other individual's reduction of their taxes.

Representative Medina compared the \$35.99 average per year tax relief to the \$5,000.00 difference. He questioned the average price of the home and stated that he thought the item should be discussed during the budget hearings.

Mr. Chapman explained that Mr. Juan Sandoval, Tax Assessor Collector, working in conjunction with the Central Appraisal District, developed these numbers. He explained that the home would have to be worth more than \$20,000.00 in order to take advantage of the proposal.

Representative Cook stated that he was not opposed to the initiative; however, the discussions would be better suited for budget hearings.

Representative Cobos clarified that a decision needed to be rendered by July 1, 2002 due to State law requirements.

Representative Cobos moved to approve, there was no second.

Representative Medina moved to take no action, Representative Escobar seconded.

Representative Cook asked that the item be referred to a Legislative Review during the budget hearings to investigate the implications, Representative Medina seconded.

Mr. Jose Eduardo Chavez Caldera, citizen, addressed Representative Sumrall's comments regarding shifting the burden to young homeowners and mentioned that all homeowners pay school taxes for which they receive no benefit. He noted that one-fourth of all homes in El Paso are owned by individuals aged 65 and over and/or disabled who pay school taxes of which they receive no benefit. He stated that a comment was made previously whereas El Paso homes were growing at the rate of 2,700 units per year, which would produce an extra income equivalent to \$3.6 million dollars. He noted that 30% of individuals 65 years of age and over and/or disabled were living on \$638.00 per month and stated that the relief in taxes would be greatly appreciated.

Mr. Leopoldo Sierra, citizen, stated he receives Social Security and SSI and discussed how his family tries to make ends meet.

Ms. Evangelina Rayon, citizen, made comments in Spanish which were translated by Ms. Diana Nunez, Administrative Assistant in the City Clerk's office.

Ms. Lisa Turner, citizen, explained that State law provides for individuals 65 and over an option not to pay taxes until after their death and noted that Social Security disability requirements and military disability requirements were not the same. She asked Council Members to research who would be exempt from paying property taxes.

Representative Cobos read statistics from the census for Council's information.

.....
Motion made by Representative Cook, seconded by Representative Power and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance imposing a moratorium on PSB impact fees, until a third party agency conducts a thorough, financial audit of the PSB to determine actual costs and impacts of new development.
- B. An Ordinance amending Ordinance 8064 (The Classification and Compensation Plan) to create the class of **HYDROGEOLOGICAL SPECIALIST**.
- C. An Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 17, employees seeking public office, to allow employees to seek elective offices that are not financially compensated.
- D. An Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 15, suspension, reduction, discharge, Section 1, causes of suspension, reduction or discharge, Subsection 1, to change the types of political activities prohibited.
- E. An Ordinance Amending Title 9 (Health and Safety), Chapter 9.12 (Food and Food Handling Establishments), Section 9.12.010 (Definitions), and Section 9.12.070 (License– Fee – Term) to change the dates designating the discontinuance of the non-potentially hazardous foods permit. The penalty being as provided in Section 9.12.890 of the El Paso Municipal Code.

PUBLIC HEARING WILL BE HELD ON MAY 7, 2002 FOR ITEMS A - E

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

Representative Sariñana discussed the Introduction of an Ordinance imposing a moratorium on PSB impact fees, until a third party agency conducts a thorough, financial audit of the PSB to determine actual costs and impacts of new development.

Representative Sumrall stated she had not read any information regarding the Ordinance. Representative Cook stated that he would like to make minor revisions to the Ordinance and would provide a copy of these revisions to all Council Members, Legal Department and all others.

Representative Sariñana asked to be excused from City Council meeting at this time.

*Motion made, seconded and unanimously carried to postpone one (1) week the Introduction of An Ordinance amending Ordinance 8064 (The Classification and Compensation Plan) to revise the class of **PUBLIC AFFAIRS COORDINATOR**.

.....
ADDITION TO THE AGENDA

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the El Paso Museum of Art be authorized to co-sponsor the May 4, 2002 celebration in the Museum and Arts Festival Plaza as part of "Family Day" with El Paso's Heritage Week Festival to provide entertainment. Permission to use amplification from 9:00 a.m. to 7:00 p.m. is requested.

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

WHEREAS, section 271.114 (a) of the Local Government Code requires that the governing body of a governmental entity that is considering a construction contract of a facility using any of the new alternative project delivery methods, other than competitive bidding, before advertising proposals for construction services, to determine which method provides the best value to the governmental entity; and

WHEREAS, the City Council of the City of El Paso by resolution, dated March 12, 2002, determined that the competitive sealed proposal method is the project method that provides the best value to the City when entering into a contract for the construction of a facility.

WHEREAS, section 271.114(b) of the Local Government Code requires that a governmental entity that is using a new alternative project delivery method for selecting a contractor for the construction services of a facility to publish in the request for proposals all the criteria that will be used to evaluate the offerrors and the relative weights given to the criteria.

WHEREAS, section 271.116(f) of the Local Government Code also requires that the governmental entity shall select the offerror that offers the best value for the governmental entity based on the published selection criteria and on its ranking evaluation.

WHEREAS, the City of El Paso has determined that the criteria, and the relative weights, that provides the best value to the City when entering into a contract for the construction of a facility is:

- The purchase price – which allows for a maximum of 70 points;
- The offerror's past relationship with the City – maximum of 10 points;
- The offerror's experience and qualifications – maximum 10 points; and
- The health benefits the offeror provides to its employees – maximum 10 points.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the criteria, and the relative weights, that will be published and used to evaluate which offerror provides the best value to the City when entering into a contract for the construction of a facility is:

- The purchase price – which allows for a maximum of 70 points;
- The offeror's past relationship with the City – maximum of 10 points;
- The offeror's experience and qualifications – maximum 10 points; and
- The health benefits the offeror provides to its employees – maximum 10 points.

Representative Cook asked that the item be postponed, Representative Medina seconded.

Ms. Carole Hunter, City Clerk, proceeded with the vote; however, was interrupted by Mr. Byron Johnson, Director of Purchasing. He stated that bid awards were awaiting the passage of this Resolution.

Representative Medina withdrew his second; therefore the polling the Council ended and discussion on the Resolution continued.

Ms. Lisa Turner, citizen, requested that the following revisions be made: 1. the purchasing price to a maximum of 50 points; 2. leave past relationship with the City at 10 points; 3. the experience and qualifications be raised to 25 points; 4. health benefits to be left at 10 points; and 5. locally owned companies – 5 points.

Representative Cobos agreed with Ms. Turner's suggestion regarding the local companies.

Mayor Raymond C. Caballero asked Ms. Rita Rodriguez, City Attorney, what the legal constraints would be.

Ms. Rodriguez explained that the locally owned companies award of 5 points was not one of the criteria listed. She stated she would research the possibilities. She noted State law does not allow preference to local companies for cities of 200,000 in population.

Mayor Caballero remarked that, as for federal projects, this was not allowed; however, he was unclear as to the language regarding state projects.

Mr. Charlie McNabb, Chief Administrative Officer, made remarks regarding the "Best Value Procurement" and noted that statute language differs on population and other issues. He suggested adopting the Resolution today and at a later date, include the local preference, if applicable.

Representative Cobos questioned whether a list could be created for City funded projects.
 Mr. McNabb responded that language was vague and the City Attorney's office would review.
 Ms. Turner questioned whether the City could ask for an Attorney General's opinion on the issue.

Representative Cook moved to adopt the Resolution as shown above and at a later date the policy would be reviewed.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

Representatives Sumrall and Sariñana were not present for the vote.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in fiscal year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

ACOSTA SPORTS CENTER

DEPARTMENT ID: 51010215, ACCOUNT 502215

1. **CONTRACTOR:** Rodolfo Valles, Field Supervisor Girls Fast Pitch Softball
 DATES: May 1, 2002, thru August 31, 2002
 RATE PER GM: \$13.50
 MAXIMUM AMT: \$2,025.00
 CONTRACT: 2001/2002/156

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in fiscal year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

DEPARTMENT ID: 51010281, ACCOUNT 501011

1. **CONTRACTOR:** Joseph Matthew Candelaria, Swim Instructor I, Step 1
 DATES: April 01, 2002, thru September 30, 2002
 RATES PER HR: \$5.35
 CONTRACT NO: 2001/2002-249
2. **CONTRACTOR:** Charlotte Y. Jordan, Indoor Pool Manager, Step 1
 DATES: April 14, 2002, thru September 30, 2002
 RATES PER HR: \$7.75
 CONTRACT NO: 2001/2002-250
3. **CONTRACTOR:** Douglas Long, Outdoor Pool Manager, Step 4
 DATES: May 1, 2002, thru September 30, 2002
 RATES PER HR: \$7.90
 CONTRACT NO: 2001/2002-251
4. **CONTRACTOR:** Adrian T. Loya, Swim Instructor I, Step 1
 DATES: April 15, 2002, thru September 30, 2002
 RATES PER HR: \$5.35
 CONTRACT NO: 2001/2002-252

5. CONTRACTOR: Naomi Y. Nieto, Lifeguard I, Step 2
 DATES: April 15, 2002, thru September 30, 2002
 RATES PER HR: \$6.00
 CONTRACT NO: 2001/2002-253
6. CONTRACTOR: Romy Paloma Ricarte, Swim Instructor I, Step 3
 DATES: April 04, 2002, thru September 30, 2002
 RATES PER HR: \$5.65
 CONTRACT NO: 2001/2002-254
7. CONTRACTOR: Crystal M. Torres, Swim Instructor I, Step 1
 DATES: April 01, 2002, thru September 30, 2002
 RATES PER HR: \$5.35
 CONTRACT NO: 2001/2002-255

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Contract between the **CITY OF EL PASO** and **GARY WILLIAMS**, for the El Paso Public Library, to present an overview of historical landmarks and heritage sites within the Las Cruces, El Paso and Juarez region on April 29, 2002 from 6:30 p.m. to 7:30 p.m. at the Main Library.

Motion made, seconded and unanimously carried to move to the Regular Agenda Staffing Table Change for Mayor & Council

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the Staffing Table Change for Mayor & Council

Add	1.0	Secretary III	GS 19
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Representatives Sumrall and Sariñana were not present for the vote.

*Motion made, seconded and unanimously carried to approve installation, power, and maintenance of residential street light at the following location:

Between 5920 & 5908 Yandell	\$899.00
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*Motion made, seconded and unanimously carried to approve the request of Habitat for Humanity of El Paso, Inc. to block off Hasan between McCombs and Arabian Nights on April 27, 2002 from 8:00 a.m. to 8:00 p.m. for a block party. Approximately 200 persons will participate. This request includes permission to use amplification (2 large speakers, P.A. system).

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Attorney's Office be authorized to negotiate and draft an agreement between the **CITY OF EL PASO** and the **NATIONAL LANDFILL GAS CONSORTIUM (NLGC)** to provide planning services regarding possible funding sources, financial planning and environmental laws and regulations applicable to

the proposed gasification project; and that the Mayor be authorized to sign such agreement. The total cost for such services, shall not exceed the amount of SEVENTY FIVE THOUSAND AND 00/100 DOLLARS (\$75,000.00).

Representative Cobos did not recall this issue being discussed during the budget hearings.

Mr. Bill Chapman, Chief Financial Officer, explained that the item would directly impact the Solid Waste Management Department budget.

Representative Cobos noted that the prudent option would be to postpone the Resolution until the next budget cycle.

Mr. Larry Gonzalez, United States Environmental Protection Agency, explained that the NLGC had approached the City after they received knowledge regarding the EPA's gasification project. He stated that the NLGC began investigating ways to assist the EPA with funding and questioned whether it would be prudent to enter into a contract with the City. He explained that the NLGC consists of three organizations: a law firm; a public finance management firm; and an energy service provider firm who over the last year and a half, have utilized over \$50 million dollars for similar energy related projects. He explained that, by the end of April, the EPA must begin action on a \$5 million dollar green house gas purchase.

Representative Escobar explained that it would be more prudent to approve the Resolution today rather than postpone it.

Mr. Gonzalez explained by approving the Resolution the EPA would be allowed to negotiate with NLGC.

Mr. Charlie McNabb, Chief Administrative Officer, remarked that Council Members must decide on a method of payment as either a flat fee of \$75,000 or a contingency fee. He stated that items come up throughout the year, which were not discussed during the budget cycle, and that the possibility of the City implementing a gasification project may ultimately save the City millions of dollars in the future.

Representative Cobos questioned whether the City would eventually sell the energy or collect pass through fees.

Mr. Gonzalez responded that the City could do both and noted that issue had not been resolved, as of yet.

Mr. Chapman noted that there was a great savings potential in regard to the closure costs on landfills.

Representative Cook commended Mr. Gonzalez for a job well done.

Motion made by Representative Cook, seconded by Representative Medina and unanimously carried to approve the above Resolution.

Representatives Sumrall and Sariñana were not present for the vote.

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Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to deny the waiver of the fee for the use of the Vista del Sol Park for the YMCA Soccer Team Players.

Mr. Bill Coon, YMCA, explained that the YMCA was a non-profit organization in the City that provides facilities and programs at a lower cost to individuals. He noted that the YMCA does not have enough fields to play soccer games throughout the City and has requested that the fees be waived so that the YMCA could provide the resources back to the community. He noted that the amount proposed to be waived was approximately \$200.00.

Ms. Rita Rodriguez, City Attorney, advised that the City was not able to waive fees as per Ordinance.

Some of the Council members offered to make donations to assist the YMCA.

Mr. Charles Nutter, Director of the Parks & Recreation Department, cautioned Council Members and stated that the requested waiver of fee was the \$2.00 per player fee assessed against every participant in sports group. He explained that most of the park field users were non-profit organizations.

Representatives Sumrall, Sariñana and Escobar were not present for the vote.

*Motion made, seconded and unanimously carried to postpone one (1) week the discussion and action on an appeal to City Council for denial of license. (Larry Randolph)

Due to the late hour, Representative Cobos asked whether the Executive Session items could be postponed.

Representatives Sumrall, Sariñana and Escobar were not present for the postponement vote.

Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to postpone one (1) week Anthony Granberry, 02-C-029

Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to postpone one (1) week Samuel A. Gurrola, 02-C-021

Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to postpone one (1) week Robert S. Huscroft, 00-PC-038

Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to postpone one (1) week Juan Francisco Reyes, et al. vs. County of El Paso, TX, et al., Cause No. EP02CA0102, Our File No. 02-S-11

Motion made by Representative Power, seconded by Representative Cook and unanimously carried to adjourn this meeting at 2:10 p.m.

APPROVED AS TO CONTENT:



Carole Hunter, City Clerk

APPROVED AS TO FORM:



Rita Rodriguez, City Attorney

